



Robert Greene Sterne
Jorge A. Goldstein
David K.S. Comwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbalà
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
John M. Covert
Robert C. Millonig
Donald J. Featherstone
Timothy J. Shea, Jr.
Michael V. Messinger
Judith U. Kim
Mark Fox-Evens
Jeffrey T. Helvey
Eldora L. Ellison
Donald R. Banowitz
Peter A. Jackman
Brian J. Del Buono

Elizabeth J. Haanes
Michael D. Specht
Kevin W. McCabe
Glenn J. Perry
Theodore A. Wood
Gaby L. Longworth
Edward W. Yee
Grant E. Reed
Tracy L. Muller
Jon E. Wright
LuAnne M. DeSantis
Helene C. Carlson
Cynthia M. Bouchez
Timothy A. Doyle
Lori A. Gordon
Shannon A. Carroll
Anbar F. Khal
Michelle K. Holoubek
Marsha A. Rose
Scott A. Schaller
Lei Zhou
W. Blake Coblentz

James J. Pohl
John T. Haran
Mark W. Rygiel
Michael R. Malek
Carla Ji-Eun Kim
Doyle A. Siever*
Ulrike Winkler Jenks
Paul A. Calvo
C. Matthew Rozier
Randall K. Baldwin
Lori M. Brandes
Deborah A. Sterling
Jeremy M. Klass
Stephanie L. Elmer
Jeffrey K. Mills
Mita Mukherjee*
Scott M. Woodhouse*
Peter A. Socarras
Christian A. Camarce
Richard D. Collier
Patrick P. Hansen
Ross G. Hicks

Keisha Hylton-Rodic
Bonnie Nannenga-Combs
Alyssa K. Sandrowitz
Jonathan M. Strang
Ishan P. Weerakoon
Chenghua Luo
Salvador M. Bezos*
Bruce B. Vance
Justin T. Sher
Byron L. Pickard
Kellie K. DiNapoli*
Christopher B. Ferenc*
Jeffrey R. Fougere*
William P. Ladd*

Registered Patent Agents*
Karen K. Markowicz
Danielle L. Letting
Steven C. Oppenheimer
Aaron S. Lukas

Jonathan Tuminaro
Gaurav Asthana
Yasser Mourtada
Cynthia L. DeFenzo
Omar F. Amin
R. Wilson Powers III
Erin C. Wong
Joseph E. Mutschelknaus
Kavon Nasabzadeh
Aaron S. Ward

Of Counsel
Edward J. Kessler
Kenneth C. Bass III
Christopher P. Wrist
David C. Isaacson
Jason D. Eisenberg

*Admitted only in Maryland
*Admitted only in Virginia
*Practice limited to
Federal Agencies

July 15, 2009

WRITER'S DIRECT NUMBER:
(202) 772-8834

INTERNET ADDRESS:
BHAANES@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1633

Attn: Mail Stop AF

Re: U.S. Utility Patent Application
Application No. 10/521,313; § 371(c) Date: January 14, 2005
For: **HER-2 NEU DNA VACCINE HAVING ANTI-CANCER ACTIVITY**
Inventors: LEE *et al.*
Our Ref: 2298.0080002/EJH/BNC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Petition for Extension of Time Under 37 C.F.R. § 1.136(a);
2. Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (PTO/SB/31);
3. Online Credit Card Payment Authorization in the amount of **\$825.00** to cover:

\$270.00 - Notice of Appeal fee; and
\$555.00 - Extension of Time fee.

The above-listed documents are filed electronically through EFS-Web.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
July 15, 2009
Page 2

Fee payment is provided through online credit card payment. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Elizabeth J. Haanes".

Elizabeth J. Haanes, Ph.D.
Attorney for Applicants
Registration No. 42,613

EJH/BNC/pcd
Encls.

997778_1.DOC